

Distinguish between the Relevant Time Period and the time period since 1988, and describe any changes in Respondent's practices over time.

RESPONSE:

In addition to the General Objections set forth above, Intel objects to this Question as overbroad in scope, unauthorized by law to the extent it is overbroad, and unduly burdensome. The RFI defined "COCs" as "any of the contaminants of concern at the Site and includes: lead, zinc, mercury, dichlorodiphenyltrichloroethane ('DDT'), chlordane, dieldrin, and polychlorinated biphenyls ('PCBs')", which is a narrower scope of chemicals than those defined by "SOIs." Intel objects to Question No. 22 as it purports to seek information relating to hazardous substances beyond the specific chemicals for which EPA purports to have evidence of a release or threatened release to the environment at the Site and that is not relevant to the Site. Additionally, Intel objects to Question No. 22 as it purports to seek information regarding containers used to remove each type of waste containing any SOIs from the Facilities and taken to *any* other place during *any* time. To the extent that EPA seeks information about facilities that have no nexus with the BAD Site, this Question is not relevant to the Site.

Notwithstanding the foregoing, and without any waiver of its objections, *see* response to Question No. 2.

23. *For each type of waste generated at the Facilities that contained any of the SOIs, describe Respondent's contracts, agreements, or other arrangements for its disposal, treatment, or recycling and identify all parties to each contract, agreement, or other arrangement described. State the ownership of waste containers as specified under each contract, agreement, or other arrangement described and the ultimate destination or use for such containers. Distinguish between the Relevant Time Period and the time period since 1988, and describe any changes in Respondent's practices over time.*

RESPONSE:

In addition to the General Objections set forth above, Intel objects to this Question as overbroad in scope, unauthorized by law to the extent it is overbroad, and unduly burdensome. The RFI defined "COCs" as "any of the contaminants of concern at the Site and includes: lead, zinc, mercury, dichlorodiphenyltrichloroethane ('DDT'), chlordane, dieldrin, and polychlorinated biphenyls ('PCBs')", which is a narrower scope of chemicals than those defined by "SOIs." Intel objects to Question No. 23 as it purports to seek information relating to hazardous substances beyond the specific chemicals for which EPA purports to have evidence of a release or threatened release to the environment at the Site and that is not relevant to the Site. Additionally, Intel objects to Question No. 23 as it purports to seek information regarding waste generated at any Facilities that contained any SOIs and taken to *any* other place during *any* time. To the extent that EPA seeks information about facilities that have no nexus with the BAD Site, this Question is not relevant to the Site.

Notwithstanding the foregoing, and without any waiver of its objections, *see* response to Question No. 2.

24. *Identify all individuals who currently have, and those who have had, responsibility for Respondent's environmental matters (including responsibility for the disposal, treatment, storage, recycling, or sale of Respondent's wastes and SHCs). Provide the job title, duties, dates performing those duties, supervisors for those duties, current position or the date of the individual's resignation, and the nature of the information possessed by such individuals concerning Respondent's waste management.*

RESPONSE:

In addition to the General Objections set forth above, Intel objects to this Question as overbroad in scope, unauthorized by law to the extent it is overbroad, and unduly burdensome. Question No. 24 purports to seek information relating to Intel's facilities that is not relevant to contamination at the Site.

Notwithstanding the foregoing, and without waiver of its objections, *see* response to Question No. 2.

25. *Did Respondent ever purchase drums or other containers from a drum recycler or drum reconditioner? If yes, identify the entities or individuals from which Respondent acquired such drums or containers.*

RESPONSE:

In addition to the General Objections set forth above, Intel objects to this Question as overbroad in scope, unauthorized by law to the extent it is overbroad, and unduly burdensome. Question No. 25 purports to seek information relating to Intel's facilities that is not relevant to contamination at the Site.

Notwithstanding the foregoing, and without any waiver of its objections, *see* response to Question No. 2.

26. *Prior to 1988, did Respondent always keep its waste streams that contained SOIs separate from its other waste streams?*

RESPONSE:

In addition to the General Objections set forth above, Intel objects to this Question as overbroad in scope, unauthorized by law to the extent it is overbroad, and unduly burdensome. Intel further objects to Question No. 26 as it purports to seek information relating to hazardous substances beyond the specific chemicals for which EPA purports to have evidence of a release or threatened release to the environment at the Site and that is not relevant to the Site.

Notwithstanding the foregoing, and without any waiver of its objections, *see* response to Question No. 2.

27. *Identify all removal and remedial actions conducted pursuant to the Comprehensive Environmental Response, Compensation and Liability Act, 42 U.S.C. § 9601 et seq., or comparable state law; all corrective actions conducted pursuant to the Resource Conservation and Recovery Act, 42 U.S.C. § 6901 et seq.; and all cleanups conducted pursuant to the Toxic Substances Control Act, 15 U.S.C. § 2601 et seq. where (a) one of the COCs was addressed by the cleanup and (b) at which Respondent paid a portion of cleanup costs or performed work. Provide copies of all correspondence between Respondent and any federal or state government agency that (a) identifies a COC and (b) is related to one of the above-mentioned sites.*

RESPONSE:

In addition to the General Objections set forth above, Intel objects to this Question as overbroad in scope, unauthorized by law to the extent it is overbroad, and unduly burdensome. Question No. 27 purports to seek information relating to Intel's facilities that is not relevant to contamination at the Site. Intel is a party to the DTSC Consent Order and Settlement Agreement for the BAD Site. From the EPA General Notice Letter, we understand that EPA is in possession of DTSC records regarding the BAD Site. To the extent EPA is not in possession of these records, they are readily available to EPA.

Notwithstanding the foregoing, and without any waiver of its objections, *see* response to Question No. 2.

28. *Provide all records of communication between Respondent and Bay Area Drum Company, Inc.; Meyers Drum Company; A.W. Sorich Bucket and Drum Company; Waymire Drum Company, Inc.; Waymire Drum and Barrel Company, Inc.; Bedini Barrels Inc.; Bedini Steel Drum Corp.; Bedini Drum; or any other person or entity that owned or operated the facility located at 1212 Thomas Avenue, in the City and County of San Francisco, California.*

RESPONSE:

In addition to the General Objections set forth above, Intel objects to this Question as overbroad in scope, unauthorized by law to the extent it is overbroad, and unduly burdensome. DTSC conducted an extensive investigation of the BAD Site and Intel's alleged operations in connection with it. DTSC's files include extensive records concerning the Bay Area Drum Company, Inc. and other persons and entities that owned or operated the facility located at 1212 Thomas Avenue, in the City and County of San Francisco, California. Intel understands that EPA is already in possession of DTSC's files regarding the BAD Site, and to the extent that EPA is not in possession of these files, they are readily available to EPA.

Notwithstanding the foregoing, and without any waiver of its objections, *see* response to Question No. 2.

29. *Identify the time periods regarding which Respondent does not have any records regarding the SOIs that were produced, purchased, used, or stored at the Facilities.*

RESPONSE:

In addition to the General Objections set forth above, Intel objects to this Question as overbroad in scope, unauthorized by law to the extent it is overbroad, and unduly burdensome. The Question is essentially unbounded in its scope in that it requests Intel to identify any and all time periods during which periods Intel "does not have any records" regarding SOIs. The Question is also overbroad in that it seeks information about facilities that are not related to the BAD Site or the Site.

30. *Provide copies of all documents containing information responsive to the previous twenty-nine questions and identify the questions to which each document is responsive.*

RESPONSE:

Intel incorporates its objections to Questions No. 1 through 29. Intel further objects to Question No. 30 as it purports to seek information relating to hazardous substances beyond the specific chemicals for which EPA purports to have evidence of a release or threatened release to the environment at the Site and that is not relevant to the Site. Intel further objects to Question No. 30 as it purports to seek copies of documents containing information responsive to the previous twenty-nine questions. DTSC conducted an extensive investigation of the BAD Site and Intel's operations in connection with it. DTSC's investigation included an information request to Intel and the DTSC files include Intel's Response to DTSC's information request, among other documents. We understand that EPA is already in possession of DTSC's files regarding the BAD Site, and to the extent that EPA is not in possession of these files, they are readily available to EPA.

Notwithstanding the foregoing, and without any waiver of its objections, Intel identifies the following additional documents that are in its possession, custody, or control and that appear to be responsive to the RFI:

1. Letter from Mr. Armao, Heller, Ehrman, White & McAuliffe, to Mr. Masterman, Senior Attorney, Intel, dated September 24, 1992, re BAD Site, San Francisco, w/enclosures.
2. Letter from Mr. Armao, Heller, Ehrman, White & McAuliffe, to PRP Group Members, dated July 31, 1992, re Bay Area Drum Site, San Francisco, California.
3. Letter from Mr. Armao, Heller, Ehrman, White & McAuliffe, to PRP Group Member, dated October 30, 1992, concerning the Bay Area Drum Site, San Francisco, California.
4. Invoice from Mr. Armao, Heller, Ehrman, White & McAuliffe, to Mr. Masterman, Senior Attorney, Intel, dated April 27, 1993, re Total Assessment.
5. Memorandum from Mr. Masterman, Senior Environmental Attorney, Intel, to Mr. Rector, Sr. Environmental Engineer, Intel, dated February 3, 1994, with attached Invoice from Mr. Armao, Heller, Ehrman, White & McAuliffe, to Mr. Masterman, Senior Attorney, Intel, dated January 28, 1994 re Total Assessment.
6. Letter from Mr. Armao, Heller, Ehrman, White & McAuliffe, to PRP Group Member, dated January 13, 1995, re Bay Area Drum Site, San Francisco, California.
7. Letter from Mr. Armao, Heller, Ehrman, White & McAuliffe, to PRP Group Member, dated April 7, 1995, re Bay Area Drum Site, San Francisco, California.
8. Letter from Mr. Masterman, Senior Environmental Attorney, Intel, to Mr. Armao, Heller, Ehrman, White & McAuliffe, dated May 1, 1995, re "Bay Area Drum Site, San Francisco, California: De Minimis Agreement."
9. Transmittal from Intel to Bankers Trust Company, dated July 31, 1995, including attachments related to "De Minimis Buy-Out Agreement for Bay Area Drum Site, San Francisco, California."
10. Letter from Mr. Armao, Heller, Ehrman, White & McAuliffe, to *De Minimis* Member of the PRP Group, dated February 2, 1996, re Bay Area Drum Site, San Francisco, California.
11. Memorandum from Mr. van Aelstyn, Heller Ehrman, to Inactive Members of the Bay Area *Ad Hoc* Group, dated March 5, 2001, re "1212 Thomas Avenue Site, San Francisco (*a.k.a.* the Bay Area Drum Site); *Calif. Dept. of Toxic Substances*

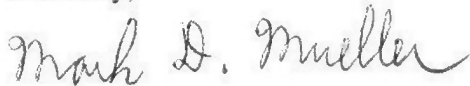
Control v. Aerojet-General Corp. et al., No. C-00-4796 PJH (N.D. Cal.),” with various enclosures and letters.

Intel is not producing any of these documents as the documents are subject to various privileges and protections as described in Intel’s General Objection No. 1 set forth above.

D. Conclusion

Intel would like to meet with EPA to discuss the RFI and Intel’s response. We will call Mr. Massey to set up a meeting.

Sincerely,



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